

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Panchayat Raj and Rural Development Department – Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, East Godavari District and now working at PRISD, Rampachodavaram, East Godavari District - Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991 on the allegations of irregularities in the execution of the work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12th Finance, RIAD" in East Godavari District – Article of charges – Communicated – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Rt.No. 998

DATED:22.06.2013.

Read the following:

1. From the GA (V&E) Dept., Vigilance Report No.107 (954/V&E/E2/2009-2), dt.17.12.2012
2. From the ENC,PR, Hyd., Lr.No.Vig.II(2)/3159/2013, dt.10.04.2013.

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ORDER:

It is proposed to hold an enquiry against Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, East Godavari Dist and now working at PRISD, Rampachodavaram, East Godavari District in accordance with the procedure laid down in Rule 20 of the A.P.Civil Services (Classification, Control and Appeal) Rules 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, East Godavari Dist and now working at PRISD, Rampachodavaram, East Godavari District is directed to submit a written statement of his defence before the disciplinary authority within Ten (10) days of the receipt of this Order.

4. Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, East Godavari District and now working at PRISD, Rampachodavaram, East Godavari District is informed that an enquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, East Godavari District and now working at PRISD, Rampachodavaram, East Godavari District is further informed that if he does not submit his written statement of defence on or before the time specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, East Godavari District and now working at PRISD, Rampachodavaram, East Godavari District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule. 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To

- 1) Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, EG Dist and now working at PRISD, Rampachodavaram, EG District through the Engineer-in-Chief, Panchayat Raj, Hyderabad.
- 2) The Engineer-in-Chief, Panchayat Raj, Hyderabad (with a request to serve and return the acknowledged copy and W.S.D).

Copy to:

- 3) The General (V&E) Administration Department (w.r. to VR. No. 107 (954/V&E/E2/09-2, dated 17-12-2012)
- 4) The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Hyderabad.
- 5) SF/SC

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE - I

Statement showing the Article of Charges against Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, EG Dist and now working at PRISD, Rampachodavaram, EG Dist.

CHARGE:

That, Sri G.B.V. Ramesh, the then Deputy Executive Engineer, PR, Rampachodavaram, EG Dist and now working at PRISD, Rampachodavaram, EG Dist. has misused his official position for his personal gain and committed the following allegations of irregularities in the execution of the work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12th Finance, RIAD" resulting loss to the Govt., in contravening the APCS (Conduct) Rules, 1964.

- i. Allowed to execute the work and check measured the recordings without work order. Recommended payment for the items such as jungle clearance, earth excavation etc., without any approved rate from the competent authority.
- ii. Though 60 Mts of NP3 class RCC pipes were not supplied the same were check measured and recommended for payment.
- iii. Obtained quotations worth Rs.1,42,15,248/- which is beyond approval powers and the quotations were for finished items of works which is against the departmental execution of work.

BASIS:

The V&E has inspected the work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12th finance, RIAD" and communicated Report No.107 (954/V&E/E2/09-2), dt:17-12-12 and observed the following:

The work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12th finance, RIAD" was administratively sanctioned vide G.O.Rt.No.74, PR & RD (Progs.II) Dept., dt:13-03-2007 for Rs.220.00 Lakhs. The same was technically sanctioned vide TSR No.NIL/07-08, dt:30-04-07 for Rs.220.00 Lakhs by the Chief Engineer, PR, RIAD. The Govt., have permitted to execute the work as per Departmental norms vide Govt Memo No.14115/Prog.II(2)/2007-1, dt:04-07-2007.

The V&E has inspected the work and made the following findings:

- Obtained the quotations worth Rs.1,42,15,248/- which is beyond approval powers and the quotations were for finished items of works which is against the departmental execution of work.
- The Deputy Executive Engineer has allowed to execute the work and check measured the recordings for the items Jungle Clearance, Earth work excavation without any approved rate from the competent authority. Without any formal work order for supply of material/ labour, the work was started.
- The first M.Book recording was done on or before 10-07-09 and 1st & Part bill was prepared on 24-10-2007 for Rs.20,07,809/- but the SE, PR, Kakinada approved the quotation of material supplier on 02-02-08 which is highly irregular as per norms.

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- Minimum requirements in selection of the material supplier/ labour were not followed, like eligibility of the Contractor in supply of material/labour, registration details and notification in the local papers for supply of material.
- Formal agreement was not concluded with the material supplier for such a huge magnitude of work and there is no mention about the EMD to be collected, execution period, defect liability period, statutory deductions to be made and other contractual obligations.
- Based on the SE, PR, Kakinada orders, payments were made to the material supplier as per estimated rates from CC 6th & part bill to CC 8th part bill and the payments from CC 1st to 5th bills were regularized duly adopting the estimated rates which are higher than the approved quotation rates.
- The total value of work done is Rs.2,07,39,246/- (up to CC 8th & Part bill) and all the amounts were paid to the two individuals i.e Sri YTV Chalapathi Rao, Masupalli (V) being the material supplier and Sri YVB Swamynadhan, Madupalli (V) being the labour supplier which clearly establishes that the total work was executed by two individuals only and it can not be treated as departmental execution of work.
- An amount of Rs.2,83,800/- is proposed as recovery towards deficiency in thickness of WBM Grade-III layer in KM.5, KM.7 & KM.9 and deficiency in GSB thickness in KM.5 & KM.7.
- Oversize of Grade-II & III metal is observed in KM.5 and an amount of Rs.7,208/- is proposed as recovery towards usage of oversize metal.
- BT extraction tests conducted on OGPC+SC samples in KM.7 & KM.9 revealed shortfall of BT content in KM.7 & KM.9 and an amount of Rs.1,27,917/- is proposed as recovery towards shortfall in BT content.
- 60mts. Of NP3 Class RCC pipes were not supplied, but the same were check measured and recommended for payment with malafied intention.

Thus, Sri G.B.V. Ramesh, the then Deputy Executive Engineer has failed to discharge his legitimate duties properly and check measured the recordings without work order and obtained quotations beyond approval powers and the same are aimed at benefiting the material supplier and thus his action is in violation of APCS (Conduct) Rules 1964.

Hence, the Charge.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE II

List of documents for which the articles of charges are proposed to be sustained

Vig & Enforcement Note No.107 (954/V&E/E2/09-2), dt:17-12-2012.

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE III

List of witnesses by whom the articles of charges are proposed to be sustained.

NIL

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER